

Bill - copies
Salisbury
Harvard
Jerry G.

Harold Weisberg
Hyattstown, Md. 20734
October 25, 1968

The President
The University of California at Los Angeles
Los Angeles, Calif.

Dear Sir,

The investment of the prestige of your university, the funds of the taxpayers of California and the integrity of a number of students and teaching assistants in a mixed commercial venture and defense of Wesley Liebeler strikes me as a dubious project for a great public institution, one that I am writing to ask you to reconsider. It is in any event one of the most questionable intent, if not from your point of view, certainly from mine and I believe from one of honorable scholarship.

The New York Times of October 23 reports that Mr. Liebeler is again sitting in judgement on himself. I say again because he accomplished this for the first time in the book Inquest, for which he provided much of the material and in which he is portrayed as little short of heroic.

The work of the President's Commission is one of the major controversial subjects of the day. It certainly should be approached by scholars, independent of the participants. For Liebeler, whose own participation is public and whose performance must be part of what is studied and analyzed to sit at the top of two teams of researchers is not consistent with impartiality. I further wonder about the position of students whose work is to be graded, presumably by Liebeler, and whose participation amounts to a subsidy by their parents.

I quote from the Times: "Mr. Liebeler said this week that the study had been prompted by two books that sharply criticized the Warren Commission report, "Rush To Judgement" by Mark Lane and "Inquest" by Edward Jay Epstein." I suggest this is not at all the case.

Mr. Lane, for reasons I presume he will at some future date, when it will have little impact on the sale of his book, explain, has seen fit to render faceless all the assistant counsel of the Commission. While he pretends his quotations are direct and unaltered, they are in fact altered to replace the names of the questioners with the letter "Q". Thus the reader, now and in history, are denied in his work the essential knowledge: who did what work on the Commission. The assistant counsel did by far the bulk of the work, despite the contrary and inaccurate statement in the introduction to Mr. Lane's book.

To Mr. Epstein Mr. Liebeler is a hero, a conclusion he was able to reach, not doubt, more easily because of his abundant indebtedness to your professor and because of the association between them.

It is not logical to assume that Mr. Liebeler's apprehension is over the book that does not name him or the book that glorifies him. It is reasonable to assume that he is concerned about the book he deliberately and, in a project of pretended scholarship, dishonestly ignored, the book that happens to be the only one that is based entirely and solidly on the work of the Commission, upon its record. This is my book, WHITELASH: THE REPORT ON THE WARREN REPORT.

Nor can it be because Mr. Liebeler is unaware of my book. Not only was it the first, but he personally ordered a copy from me (for which he has yet to pay). We had an exchange of correspondence in July in which he stated he found some of the references of my book less than complimentary to him. In response I cited each of the references to him and solicited his comment. I particularly directed his attention to his handling of the photographic witnesses, part of Mr. Liebeler's function on the

Commission - and a very important one - he and his apologists avoid mentioning. For example, in this same Times story, "Mr. Liebel's modest about his work is apparent: 'Mr. Liebel... wrote the chapter dealing with Oswald's background and possible motives...and says he also wrote part of another chapter about possibly conspiracy...'" Mr. Liebel has been without response to my letter, I presume from this that he has been without complaint.

My complaint to you is not that my work is not to part of what is misnamed scholarship and research at your institution. Not is it that, with perhaps a proud author's lack of impartiality, that I believe my work is by far the most complete. It is simply that I do not believe you want to be in the position of putting a fox to guard the chicken house. Possibly you would prefer that I say this a different way, that we do not, in our society, put the accused into the judge's seat. However it is phrased, there is no honorable formulation of the present situation that does not cast Wesley Liebel in the role of the accused and there is no fair one that can allow him to preside over the determination.

It is not the critics of the Warren Report who are now being judged, it is that document itself. Its critics can be judged only in terms of that document. Your professor is one of the authors of that Report, as I see it with a responsibility second to none of his associates on the Commission staff. That you would even consider permitting him, on behalf of your institution, to judge himself, is outrageous. It is not in accord with the normal concepts and standards of scholarship. And it is not, if I may express a personal opinion, in accord with the function of a public institution.

This last point I want to emphasize because what Mr. Liebel is really engaged upon, aside from a questionable effort at self-defense and the transference of blame to others, is a plain commercial venture. He is publishing a book. What he has now, with your cooperation, accomplished, is to make your university, its teaching assistants and 20 members of the student body, its other facilities and supplies and above all its reputation, part of his commercial venture.

Cannot Wesley Liebel write his book in his own name alone and with his own effort alone? It is proper for the taxpayers of California and at least indirectly of the entire country to be made unpaid partners in his commercial ambitions? This, I fear, is the present situation. Are you to be made his character endorsement? Are you and your institution to be placed in the position of defending his conduct and performance as a member of the staff of the Commission? Are we to expect those students whose careers may depend upon the attitude of their professor toward them to say about him those harsh things I submit the public record more than justifies? Do you want your students to be placed in such a position?

There is another part of the Times story I find troubling. It declares that certain records of the Commission that have hitherto been kept secret are now to be made available to Mr. Liebel, through those you are paying to help him. It happens that I have been researching that archive, and that I have completed another book based upon this research. Is it fair that what was denied me and other studying this archive have been kept secret from us but be made available to Mr. Liebel in his attempt at self-justification, his endeavor with Mr. Epstein, also a student, having failed? Are these the conditions of honest and impartial scholarship, as you and your university see them?

Mr. Liebel, again from the Times story, seems to lament his lack of participation in a slander suit, Mr. Lane not yet having made his threat good. It is within Mr. Liebel's power to satisfy himself on this account, should he find the inference of his unsolicited single letter to me valid. He need only file suit for slander against me. If the legal necessities for such an action do not get satisfied by the printed word, I shall be happy to accept your invitation to address your student body and read all the words pertaining to Mr. Liebel in my book aloud.

I am without funds to defend such an action, but I am confident that there are eminent counsel in your state who would see to it that I do not have to appear without competent representation. While, in the remote and to me inconceivable event Mr. Liebeler should win such an action before an honest court, as certainly yours are, there is not much by way of compensation he could gain (for my work in this field has not enriched me with money); he would have the great satisfaction of defending his honor.

It is not that I seek notoriety in court. There are a number of actions I might file on my own. I do not regard this subject as one that should be subjected to further notoriety, in the quest for personal gain or any other similar purpose. It is simply that Mr. Liebeler is getting the Presidency into the gutter and dragging you with him, and with you, your state and its people.

The one advantage of a court proceeding is that it provides a means of seeking an impartial determination of truth. It is not, however, the only such mechanism. Since what is very much at issue here is Professor Liebeler's performance as one of the assistant counsel of the President's Commission, there are means by which this can be examined and still within the academic community. For example, once a week and entirely from the record, I could submit a question entirely from the record about specific actions or nonactions by Mr. Liebeler as assistant counsel. The student body could determine from the citations which I shall give whether his performances were consistent with the high standards that should prevail on such a commission. Were it within my means, I'd seek a larger body or possibly one of the TV programs in your area.

In due course, we could address ourselves to "evidence in the records that is not entirely reflected in the text of the Warren report," to quote Mr. Liebeler in a sense he did not intend. He continued, "That doesn't mean it wasn't considered. It needs to be put in one short, concise place so that readers can make up their own minds". With his great anxiety to consider this or to have this considered by others, I am disappointed that the one current work that makes this possible with respect to him was not mentioned by Mr. Liebeler. That is WHITEWASH. If there is insufficient here in any examination of what Mr. Liebeler decided should not be in the Report, or even in those interrogations he conducted that produced the evidence thereafter filtered, I promise you that within a short time I shall overcome this deficiency, especially with regard to Mr. Liebeler. I agree that is an extremely important thing that we know what was kept out of the Report, especially what was not considered by the members of the Commission and why. Especially if this was knowledge denied them by the staff, of whom Mr. Liebeler was an important member.

Not the least outrageous aspect of Mr. Liebeler's public comment but one I especially call to your attention because your institution has become party to his campaign of self justification is this: "What is needed at this point is one piece of work which sets forth both sides objectively." That a remarkable self indictment! What a remarkable indictment of the Report and of the Commission in whose deliberations and conclusions he played a major role! More, what an outstanding endorsement of the conclusion and the content of WHITEWASH. Most Americans had believed this was the function of the President's Commission and that it was embodied in its Report. WHITEWASH alone says the expected job was not done and must be, entirely in public and preferably by Congress. It alone establishes this need entirely from the official record. If I am indebted to Mr. Liebeler for nothing else, I thank him for this endorsement, which amounts to a confession that the Report did not pretend to set "both sides forth objectively." I would suggest that if our search is for truth, the closest approximation of this is in WHITEWASH.

Sincerely yours,

Harold Weisberg